

PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD

MONDAY, June 24, 2002

3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members, Bloomfield, Clement, Kreider, Raser, Senhauser, Sullebarger, and Wallace present. Absent: Borys and Spraul-Schmidt.

MINUTES

The minutes of the Monday, June 10, 2002 meeting were approved (motion by Raser, second by Clement).

CERTIFICATE OF APPROPRIATENESS 2321 UPLAND PLACE, UPLANDS HISTORIC DISTRICT

Staff member Adrienne Cowden presented the staff report on this request for a Certificate of Appropriateness to demolish additions and build a new porch at the residence located at 2321 Upland Place. It is a contributing resource to the Uplands Historic District.

A pre-hearing meeting was held on June 18, 2002, with owner Phillip Cameron and Michael Williams of 2315 Upland present. Mr. Williams expressed support of the project. Mr. Cameron has also indicated that at least two other property owners, within the district, Janet Weigle and Andrew Smith, strongly support the project. Staff received no other correspondence regarding this application.

Ms. Cowden stated that the applicant proposes to demolish the large additions on the north and south elevations. Ms. Cowden pointed out that the presence of the additions changes the form and massing and their removal will restore the original shape and allow maintenance issues to be addressed.

[Mr. Bloomfield joined the meeting]

In addition, the application involves the construction of a partial-width porch on the north elevation. Ms. Cowden corrected the staff report, noting that the porch roof will be tin or copper, not the asphalt shingle shown. Proposed placement of the porch is based on existing window openings and scarring on the foundation. Ms. Cowden stated that the material, scale, and massing are appropriate and comply with the applicable guidelines. While the individual details match, Ms. Cowden described the proposed porch as being excessively ornate and not in character with the district.

Owner/applicant Mr. Phillip Cameron was present to answer questions from the Board.

In response to Mr. Raser, Ms. Cowden confirmed that the East Walnut Hills Assembly was contacted. She also replied that she had received no front elevation drawings of the porch. In addition, Ms. Cowden agreed with Ms. Sullebarger that the existing porch does not appear to be original and said that she and Mr. Cameron were unable to locate any documentation of the original structure.

In response to a query from Mr. Senhauser, Mr. Cameron explained that the drawings of the porch columns are to scale and are approximately 6".

[Mr. Kreider joined the meeting]

Mr. Senhauser pointed out that proportion, as well as detail are critical to the Queen Anne style. Understanding that there is no documentation of the original, Mr. Senhauser considered the columns spindly, relative to the door. He speculated that the columns would have been larger than they appear in the plans – probably closer to 8x 8.

Mr. Cameron stated he respectfully disagreed that the house was Queen Anne style. He justified the formality of his proposed porch since it will be almost as highly visible as the front porch, and in fact, would be a front porch entry for two of the three apartments.

Mr. Raser pointed out that since there is no context for this elevation, it is hard to tell if the porch is accurately scaled and proportioned. As presented, he agreed with staff that the Queen Anne detailing is too diminutive. Mr. Cameron remarked that the material submitted showed the footprint and aerial view of the porch; its height will be dictated by existing stain glass windows on that elevation.

Mr. Senhauser supported the desire to demolish the unfortunate additions. He acknowledged that a reasonable attempt was made to document what existed and that the creation of the new porch was appropriate. He agreed with the staff recommendation and added that the nature of the detailing could be approved at the Conservator's level.

Mr. Kreider noted that some of the details are very similar to 2345 Upland, which is a building similar in its construction. He agreed that the details could be worked out at the staff level, but for the record, admitting that he is not an architect, did not find the detail inappropriate.

Ms. Sullebarger stated that the preservation philosophy of the National Park Service is that without direct physical evidence or photographic evidence, one should stick to a simpler design. She added that she would be glad when the additions are torn down and appreciated the effort to do something that is architecturally appropriate.

BOARD ACTION

The Board voted unanimously (motion by Sullebarger, second by Clement) to take the following actions:

1. Approve a Certificate of Appropriateness for the proposed demolition of the inappropriate and non-significant additions on the north and south elevations;
2. Find that the proposed porch meets the Uplands Historic District Guidelines and approve a Certificate of Appropriateness with the following conditions:
 - a. The applicant should simplify the porch's decorative detailing, particularly the railing and the spindlework frieze, and consider a more appropriate finish for the foundation; and
 - b. Final construction drawings and proposed exterior finishes/elements shall be submitted to the Urban Conservator for approval prior to construction.

CERTIFICATE OF APPROPRIATENESS 1445 WALNUT STREET, OVER-THE-RHINE (SOUTH) HISTORIC DISTRICT

Staff member Cheri Rekow presented the staff report for a Certificate of Appropriateness to demolish the rear portion of the building at 1445 Walnut Street for the construction of a parking lot. The parking lot will service abutting loft-style residential rental units owned by the applicant, United Realty & Development, Inc. at 1508, 1510, and 1512 Moore Street and 1445 and 1447 Walnut Street. Ms. Rekow summarized actions that have been taken by the Historic Conservation Board regarding the properties relative to this building.

Ms. Rekow described the parking lot as facing Liberty Street, having access from Moore Street and being screened from public view with low masonry walls, along with planting areas and landscaping. The proposed fencing along Liberty Street is wrought iron on a stone masonry base. The applicant proposes to use pressure treated lattice for the interior fencing to partially screen cars from rear yards, not totally obstructing views for security reasons. Ms. Rekow added that the parking stalls are less than standard; however, a variance is not required because the spaces are not required by zoning.

Ms. Rekow distributed a handout that showed an evaluation of the condition of the building and the cost of rehabilitation verses rent that could be achieved. These figures indicate that it is not possible to realize an economic return on rehabilitating the rear portion of the building.

Applicant Shaun Pfeil, United Realty & Development, Inc., was present to respond to questions from the Board.

Mr. Forwood confirmed for Ms. Sullebarger that the guidelines prescribe types of fences on the street and this lattice fence, as proposed, is essentially a privacy wall in the rear of the lot. Ms. Rekow added that the lattice fence is consistent with the guidelines.

Ms. Wallace questioned how the anticipated income of \$2,000 per month was calculated. Mr. Pfeil responded that the figure was arrived at considering the present rents on adjacent properties and the return of investments from improvements.

In reply to Mr. Raser, Ms. Rekow stated that the Over-the-Rhine Community Council, Over-the-Rhine Foundation and Chamber of Commerce were all notified and that staff had received no comments or inquiries regarding the application. The only person in attendance at the pre-hearing was the applicant's agent.

In response to Mr. Kreider, Mr. Pfeil stated nineteen apartment units are proposed and if the rear of the building was not demolished, he could feasibly fit only one more apartment unit into that space. More than that would not be marketable.

Mr. Forwood clarified the staff recommendation stating that the current application is for the demolition of the rear of the building. An application has not yet been received for the parking lot. Staff is asking the Board to approve the demolition as a separate issue now, as well as approving the construction of the parking lot, so when the application for the parking lot is received, it can be approved, based on the Board's approval today.

Mr. Pfeil confirmed for the Board that the Lord's Gym is currently seeking another location, but that they intend to preserve the storefront at 1447 Walnut Street and maintain a commercial use on the ground floor.

BOARD ACTION

The Board voted unanimously (motion by Sullebarger, second by Clement) to take the following actions:

1. Approve a Certificate of Appropriateness for the demolition of the rear building at 1445 Walnut Street, finding that:
 - a. It is not possible to realize an economic return on the rehab;
 - b. Demolition for the purpose of constructing a parking lot will support the rehab of adjacent buildings as part of a broader plan.
 - c. It is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district; and
 - d. It will not be materially detrimental to the public health, safety, and welfare or injurious to the property in the district or vicinity where the property is located.
2. Approve a Certificate of Appropriateness for the construction of a parking lot consistent with the proposed drawings in order to support the rehabilitation of adjacent structures.

**CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCE, 126-132
MULBERRY STREET, OVER-THE-RHINE (NORTH) HISTORIC DISTRICT**

Staff member Cheri Rekow presented the staff report for a Certificate of Appropriateness and zoning variance for the demolition of an existing garage and a stone retaining wall for the site preparation for the new construction of four single-family homes. Ms. Rekow explained that the applicant/ developer Joe Gorman intends to develop the site and then sell the property to the builder. The prospective builder, Vineyard Homes, Inc., has submitted revised conceptual building elevations for preliminary design review.

Ms. Rekow summarized the Board's comments from May 20, 2002 regarding the first preliminary design review of this development which recommended the four lots having equal frontage and a more shallow front setback so as to not allow for parking. Ms. Rekow stated that the developer has changed the lots so that each side yard is equal.

Ms. Rekow distributed a letter from the Mulberry Hill Association that expressed enthusiastic support for the proposed design and approval of the development.

Applicant/Developer Joe Gorman was present to provide details to the Board. Mr. Gorman explained that the site preparation for this project would be funded through the City's Housing Round IX Program. Mr. Gorman informed the Board that since 1980, 50 buildings have been lost on Mulberry Street. He introduced prospective builder Jerry Honerlaw from Vineyard Homes who presented preliminary elevation drawings and answered questions from the Board.

Ms. Sullebarger remarked that the builder reorganized the lot widths in response to the comments made at the preliminary design review and acknowledged that it works very well. She pointed out that originally the design depicted a stoop with the garage under a wider bay and questioned the façade change. Mr. Honerlaw indicated that the design change was in response to comments made at the

preliminary design review and believed that the design flowed better than the colonial style doorway originally presented. Ms. Rekow recollected that when previously reviewed, there was an issue with regard to the front entries, in that a longer stair would protrude out into the sidewalk. This second configuration avoids that and is very consistent with existing buildings and stoops that are on Mulberry Street.

Mr. Forwood stated that at this time, the applicant/developer is seeking a Certificate of Appropriateness for the demolition of the garage and wall, as well as a zoning variance for the front, side and sum of side yard setbacks. The application for the Certificate of Appropriateness for the new residences will be presented at a later date.

Mr. Kreider informed the Board that having concurrent representation of the prospective builder, Vineyard Homes, Inc., he would abstain from voting.

Mr. Forwood confirmed that front yard setbacks of other buildings on the street vary from zero to 12 feet. After some discussion, the Board concluded that the lot sizes and the front setback of three feet would be appropriate and consistent with other structures on Mulberry Street.

In response to the Board, Mr. Honerlaw explained that he is a custom builder who designs for prospective buyers. If a prospective buyer requests changes, then he would modify the design for the buyer to fit well on Mulberry Street. He indicated that he would be surprised if individual houses would vary substantially from the preliminary elevations submitted.

Mr. Senhauser expressed liking the degree of continuity and similarity, yet each unit having a unique presence, with a different bay or different door or other minor variation from house to house. Mr. Raser encouraged the prospective builder to carefully consider the railing and stairs since they are such prominent features. Mr. Honerlaw agreed with the need for a substantive rail and suggested that L & L Ironwork would probably be doing the project.

Mr. Senhauser pointed out that the side lots should be developed when designing the individual units. Mr. Honerlaw stated that the grade of the lots is 10' higher in the back than the street. He anticipates designing a 5' wall with a rail, matching the stair rail and a patio/deck and landscaping into the sides.

BOARD ACTION

The Board voted (motion by Raser, second by Clement, Kreider recused) to take the following actions:

1. Find that the demolition of the existing garage and retaining walls and granting the requested setback variances for the construction of appropriately designed residential structures:
 - a) are necessary and appropriate; and
 - c) will not be materially detrimental to the public health, safety, and welfare or injurious to the property in the district or vicinity where the property is located.
2. Approve a Certificate of Appropriateness for the demolition of a parking garage at 126 Mulberry Street and retaining walls at 132 Mulberry Street;

3. Approve a Certificate of Appropriateness for the subdivision of 126-132 Mulberry Street into four building lots with equal frontage; and
4. Approve the requested variances to the Cincinnati Zoning Code for each of the four lots to be located on 126-132 Mulberry Street as follows:
 - Front variance to permit a front setback of three feet;
 - Least width side variance to permit side yards of 6 ½ feet and zero feet; and
 - Sum of side variance to permit a total side yard sum of 6 ½ feet,conditioned upon the Board's approval of plans and specifications for new residences to be presented at a later date.

**CERTIFICATE OF APPROPRIATENESS AND ZONING VARIANCE, 3020
FAIRFIELD AVENUE, EAST WALNUT HILLS HISTORIC DISTRICT**

Staff member Caroline Kellam presented the staff report for a Certificate of Appropriateness and zoning variance for the construction of a detached two-car garage at the rear of 3020 Fairfield Avenue.

Ms. Kellam explained that because the proposed garage is a detached accessory structure in an R-2 Zoning District, a zoning variance is required for side and rear yard setbacks. In addition, the proposed construction requires a variance to allow greater than 30% coverage of the rear yard.

Ms. Kellam stated that the Community Council was notified and a pre-hearing was held in which no one attended.

Chip Brown from Environmetrics, representing the applicant Tom Arnold, was present to answer questions from the Board. Mr. Brown confirmed for Mr. Senhauser that the height to the mid point of the hip roof would not exceed 12' 6", therefore, not requiring an additional variance. Responding to questions from the Board, he also described the garage door to be a single, metal embossed door, which gives the appearance of being paneled. He explained that the site is very tight and two garage doors would make for very difficult maneuvering. He also indicated that the plan has been changed to delete aluminum-clad wood trim – the siding and trim would all be painted redwood. He also clarified that there is no louver vent, but a soffit vent and that the roof would be asphalt shingle.

BOARD ACTION

The Board voted unanimously (motion by Raser, second by Kreider) to take the following actions:

1. Approve a Certificate of Appropriateness for the construction of a two-car garage at the rear of the property as per plans submitted dated 5/8/02 with the final plans and any revisions to be reviewed by the Urban Conservator prior to issuing a Certificate of Appropriateness and a building permit.
2. Approve a conditional accessory use to allow the construction of a two-car garage at 3020 Fairfield Avenue with a:
 - Rear yard variance to permit a setback of 2"
 - Side yard variance to permit a setback of 1'6"

- Variance to allow for the structure to occupy more than 30% of a required rear yard

As per Cincinnati Zoning Code, Section 1469-121, Location and Height, finding that such relief from the literal implication of the Zoning Code:

- a) is necessary and appropriate in the interest of historic conservation so as not to adversely affect the historic architectural or aesthetic integrity of the district; and
- c) will not be materially detrimental to the public health, safety, and welfare or injurious to the property in the district or vicinity where the property is located.

CERTIFICATE OF APPROPRIATENESS AND T-ZONE APPROVAL, 119 EAST 12TH STREET, OVER-THE-RHINE (SOUTH) HISTORIC DISTRICT

Staff member Caroline Kellam presented the staff report for this Certificate of Appropriateness and T-Zone approval for the retention of a 4' x 30' painted wall sign on the east elevation of 119 East 12th Street. The building is a contributing building to the Over-the-Rhine (South) Historic District.

Ms. Kellam informed the Board that no one attended either of two pre-hearings and that no correspondence had been received.

Ms. Kellam explained that the property is located in a Transition Zone R-7(T). It abuts a less restrictive B-4 zoning district that allows for painted wall signs without limit to size or location. However, Ms. Kellam stated that the existing sign is not compatible with the Over-the-Rhine (South) guidelines in that the sign is too large for the building and the district. It is also painted on an elevation with significant architectural features including stone sills and lintels, a decorative stringcourse and an elaborate bracketed cornice. The sign detracts from these details.

Mr. Forwood said the Department of Buildings and Inspections has cited the owner for not obtaining a COA. There were a number of complaints when the sign was first painted nearly two years ago.

Owner Keith McConn was present to answer questions from the Board. He stated that the background behind the white letters was painted green matching the windows. He stated his intent was to attract customers from the Main Street area, from which his building is separated by a parking lot. He added that at the time he had the sign painted, he was new to the area and was not aware of zoning and historical districts. He "went by what others did." He referenced Davis Furniture.

Ms. Sullebarger said her inclination was to approve the sign, pointing out that the sign is not unlike what might have appeared historically in that the lettering was similar and, typically, signs were painted on blank walls. She added that it was unfortunate that the sign covered architectural details.

Mr. Raser commented that that if the sign had been initially brought before the Board, it would not have been approved in that it is not effectively scaled, adding that signs on Main Street have gotten out of hand, being out of scale and garish. Mr. McConn responded that, not being aware of what is acceptable, he is willing to work with staff to modify the sign.

The Board recognized Mr. McConn's need for a sign. Mr. Senhauser concluded that the sign would probably have been denied, if it had been originally brought to the

Board, but believed an alternative would have been accepted if the brick corbelling at the lintel line was not obscured. He added that there is a historic precedent for signs painted directly on buildings and that the clarendon type face is not out of character. He suggested that Mr. McConn work with staff to develop alternative designs that the Board could consider.

Mr. Kreider reiterated that the Board is receptive to some substitute sign plan, but the current sign was never approved and would not have been approved in its size and configuration. He pointed out that from a practical standpoint, if the staff recommendation is approved, and Buildings and Inspections orders removal of the sign, there will be some time before that order turns into an injunction, so there is time to come back with a proposal.

BOARD ACTION

The Board voted unanimously (motion by Raser, second by Kreider) to take the following actions:

1. Find that a 4' x 30' painted wall sign does not meet the Over-the-Rhine (South) Historic District guidelines for signs.
2. Disapprove a Certificate of Appropriateness for the painted wall sign on the building and direct the Urban Conservator to notify the Director of Buildings and Inspections of the Board's decision.
3. Paint out the sign with a color to match the brick color. Limit painting to just the extent of the sign area.

ADJOURNMENT

As there were no other items for consideration by the Board, the meeting adjourned.

William L. Forwood
Urban Conservator

John C. Senhauser
Chairman

Date